

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Larnita A. Pette 2588 El Camino Real, Suite F-195 Carlsbad, CA 92008 Mobile: (707) 853-2049 Email: larnita.pette@gmail.com</p> <p>Movant: PRO SE</p> <p><input checked="" type="checkbox"/> Individual appearing without attorney <input type="checkbox"/> Attorney for:</p>	<p>FOR COURT USE ONLY</p> <div data-bbox="930 331 1300 562"><p>FILED</p><p>JUN 13 2017</p><p>CLERK U.S. BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA BY: <i>[Signature]</i> Deputy Clerk</p></div>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>BEVERLY MONIQUE MURRAY-CALCOTE</p> <p>Debtor(s).</p>	<p>CASE NO.: 2:17-bk-11972-RK CHAPTER: 7</p> <p>NOTICE OF MOTION FOR:</p> <p>MOTION TO EXTEND THE DEADLINE TO FILE AN OBJECTION TO THE DEBTOR'S DISCHARGE PURSUANT TO 11 U.S.C. § 523 AND/OR 11 U.S.C. § 727</p> <p>(Specify name of Motion)</p> <p>DATE: 07/11/2016 TIME: 2:30 pm COURTROOM: 1675 PLACE: Edward R. Roybal Federal Bldg and Courthouse 255 E. Temple Street Los Angeles, CA 90012</p>

BY FAX

1. TO (specify name): Beverly Monique Murray-Calcote
2. NOTICE IS HEREBY GIVEN that on the following date and time and in the indicated courtroom, Movant in the above-captioned matter will move this court for an Order granting the relief sought as set forth in the Motion and accompanying supporting documents served and filed herewith. Said Motion is based upon the grounds set forth in the attached Motion and accompanying documents.
3. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one.)


This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

4. **Deadline for Opposition Papers:** This Motion is being heard on regular notice pursuant to LBR 9013-1. If you wish to oppose this Motion, you must file a written response with the court and serve a copy of it upon the Movant or Movant's attorney at the address set forth above no less than fourteen (14) days prior to the above hearing date. If you fail to file a written response to this Motion within such time period, the court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.
5. **Hearing Date Obtained Pursuant to Judge's Self-Calendaring Procedure:** The undersigned hereby verifies that the above hearing date and time were available for this type of Motion according to the judge's self-calendaring procedures.

Date: 06/13/2017

Larnita A. Pette (Movant - Pro Se)

Printed name of law firm


Signature

Larnita A. Pette (Movant - Pro Se)

Printed name of attorney

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION FOR** (*specify name of motion*)
MOTION TO EXTEND THE DEADLINE TO FILE AN OBJECTION TO THE DEBTOR'S DISCHARGE PURSUANT
TO 11 U.S.C. § 523 AND/OR 11 U.S.C. § 727.

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) _____, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) 06/13/2017, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

PRESIDING JUDGE: Honorable Robert N. Kwan, 255 E. Temple Street, Suite 1682, Los Angeles, CA 90012

DEBTOR: Beverly Monique Murray-Calcode, 3316 West Avenue M-2, Lancaster, CA 93536.

ATTORNEY FOR DEBTOR: Alon Darvish, 9454 Wilshire Blvd., Penthouse Floor, Beverly Hills, CA 90212

CHAPTER 7 TRUSTEE: Rosendo Gonzales, 530 South Hewitt Street, Los Angeles, CA 90013

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Date

Printed Name

Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

Service Information (continued)

ATTORNEY FOR CHAPTER 7 TRUSTEE

Jeremy W. Faith
Noreen A. Madoyan
Margulies Faith, LLP
16030 Ventura Blvd., Suite 470
Encino, CA 91436

UNITED STATES TRUSTEE

Kenneth G. Lau
Trial Counsel
United States Trustee-Region 16
915 Wilshire Blvd., Suite 1850
Los Angeles, CA 90017

1 Larnita A. Pette
2 2588 El Camino Real, Suite F-195
3 Carlsbad, CA 92008
4 Mobile: (707) 853-2049
5 E-Mail: larnita.pette@gmail.com

6
7 Movant: PRO SE

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

**BEVERLY MONIQUE MURRAY-
CALCOTE,**

Debtor.

Case No.: 2:17-bk-11972-RK

Chapter 7

**MOTION TO EXTEND THE DEADLINE
TO FILE AN OBJECTION TO THE
DEBTOR'S DISCHARGE PURSUANT TO
11 U.S.C. § 523 AND/OR 11 U.S.C. § 727**

DATE: July 11, 2017

TIME: 2:30 p.m.

COURTROOM: 1675

PLACE: Edward R. Roybal Federal
Building and Courthouse

**TO THE HONORABLE ROBERT N. KWAN, UNITED STATES BANKRUPTCY JUDGE;
THE DEBTOR; CHAPTER 7 TRUSTEE; UNITED STATES TRUSTEE AND ALL PARTIES
IN INTEREST:**

Larnita Pette, a party in interest (the "Movant") and plaintiff in pending lawsuits filed against Beverly Monique Murray-Calcote (the "Debtor") in the San Diego County Superior Court (the "San Diego Court") and the Orange County Superior Court, Probate Division (the "Orange County Court"), moves the court for an order pursuant to Rule 4004(b) to extend the deadline to file a complaint to the Debtor's discharge under 11 U.S.C. § 523 and/or 11 U.S.C. § 727.

1 In support of the Motion to Extend the Deadline, the Movant refers to the following recitals:

2 **RECITALS**

- 3 A. The Debtor filed a petition for relief for under chapter 7 of the Bankruptcy Code on
4 February 17, 2017.
- 5 B. The Movant's first notice of the Debtor's Chapter 7 Bankruptcy filing occurred on April
6 5, 2017 when the Debtor filed a Notice of Stay with the San Diego Court in response
7 to an ex parte hearing scheduled for April 6, 2017. EXHIBIT 1 (Declaration of Stephen
8 Blea); EXHIBIT 2 (Notice of Stay).
- 9 C. The initial 341 hearing occurred on March 24, 2017. The Debtor failed to disclose her
10 beneficial interest in the Trust. The hearing was continued to May 1, 2017 for other
11 deficiencies.
- 12 D. The deadline to file objections to the Debtor's discharge was May 23, 2017.
- 13 E. In the February 17, 2017 Chapter 7 Schedule B filing, the Debtor failed to disclose her
14 beneficiary interest in the Bobbye J. Rives Trust ("Trust") and the fact she received at
15 least \$100,000 in inheritance and compensation from the Trust. The Debtor also failed
16 to disclose her interest in an unscheduled business, Hair Connection Plus.
- 17 F. The Debtor failed to appear at the 341 hearing on May 1, 2017.
- 18 G. The Debtor's 341 hearing was continued to June 5, 2017.
- 19 H. Due to the Debtor's failure to timely serve Notice of Stay to the Movant and California
20 Courts and her the non appearance at the May 1, 2017 341 hearing, the Movant
21 requests additional time to determine if and how the Debtor will respond to the
22 requests of the Chapter 7 trustee.
- 23 I. On May 15, 2017, counsel for the Chapter 7 trustee filed a Motion for Extension of
24 Time for Filing Complaint Objecting to Debtor's Discharge.
- 25 J. Based on the foregoing, the Movant also respectfully requests that the court: (1) grant
26 an extension of the deadline for filing an adversary complaint objecting to the Debtor's
27 Chapter 7 discharge under 11 U.S.C. § 523 and/or 11 U.S.C. § 727 to and through
28

1 September 29, 2017; and (2) grant the Movant such and further relief as is just and
2 proper under the circumstances.

3 **PRAYER**

4 Based on the foregoing, The Movant also respectfully request that the court:

5 1. Grant the extension to file objection to the Debtor's discharge due to the Debtor's late
6 filing of the Notice of Stay with the CA Courts (on April 6th and April 12th 2017) after the
7 Debtor's initial 341 hearing on March 24, 2017. The Debtor's untimely filings effectively
8 reduced the Movant's time to file objections to the discharge to less than the 60 day deadline
9 specified under Rule 4004(b).

10 2. Grant an extension of the deadline for filing an adversary complaint objecting to the
11 Debtor's Chapter 7 discharge under 11 U.S.C. § 523 and/or 11 U. S. C. § 727 to an through
12 September 29, 2017.

13 3. Grant the Movant such and further relief as is just and proper under the
14 circumstances.

15
16
17
18
19 Dated: June 13, 2017

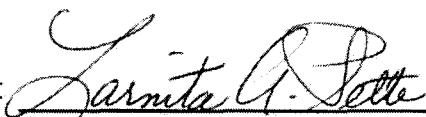
By: 
Larnita A. Pette, Movant

EXHIBIT 1

Daniel W. Abbott, Esq. (SBN 218334)
Stephen D. Blea, Esq. (SBN 294339)
WITHAM MAHONEY & ABBOTT, LLP
401 B Street, Suite 2220
San Diego, California 92101
Telephone (619) 407-0505
E-Mail: abbott@wmalawfirm.com

Attorneys for Plaintiff Larnita Pette

F I L E D
Clerk of the Superior Court
APR 05 2017
By: S. Klais-Trent, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION

LARNITA PETTE, as an interested person on
behalf of BOBBYE RIVES (deceased); LARNITA
PETTE, as an individual,

Plaintiff,

vs.

BEVERLY MURRAY-CALCOTE; RALPH
SANDERS; and DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2015-00015654-CU-PO-CTL

**DECLARATION OF STEPHEN D. BLEA,
ESQ. IN SUPPORT OF PLAINTIFF'S EX
PARTE APPLICATION FOR AN ORDER
CONTINUING TRIAL DATE AND OTHER
DEADLINES**

Date: April 6, 2017

Time: 8:30AM

Dept: C-63

Judge: Hon. Ronald L. Styn

I, Stephen D. Blea, Esq., declare as follows:

1. I am an attorney licensed to practice law in the State of California and I am an associate attorney with Witham Mahoney & Abbott, LLP, counsel for Plaintiff Larnita Pette. This declaration is submitted in support of Petitioners' Ex Parte Application for an Order Continuing Trial Date and Other Deadlines. The following facts are within my personal knowledge and, if called as a witness herein, I can and will competently testify thereto.

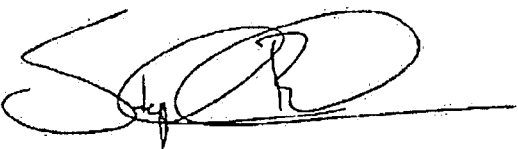
2. On April 4, 2017 at approximately 1:30pm, I contacted Defendant Beverly Murray-
Calcote via telephone at her Division with the Los Angeles Police Department. Ms. Murray-
Calcote

1 was not available at the time I called, and, despite repeated efforts to contact Ms. Murray-Calcutt via
2 telephone, I was unable to reach her. I nevertheless left Ms. Murray-Calcutt a message at her Division's
3 voicemail informing her this Ex Parte Application would be presented to this Court on April 6, 2017 at
4 8:30am in Department C-63. This notice complied with California Rules of Court, rule 3.1203(a) and
5 California Rules of Court, rule 3.1204(b).

6 3. Further, on April 4, 2017 at approximately 2:00pm, I contacted Luis Ventura, counsel of
7 record for Defendant Ralph Sanders, via telephone. I informed Mr. Ventura this Ex Parte Application
8 would be presented to this Court on April 6, 2017 at 8:30am in Department C-63. This notice complied
9 with California Rules of Court, rule 3.1203(a) and California Rules of Court, rule 3.1204(b).

10 4. In my aforementioned telephone conversation with Mr. Ventura, he emphasized he did not
11 intend to oppose the instant Ex Parte Application. Further, Defendant Murray-Calcutt never returned
12 my telephone call regarding the instant Ex Parte Application, and she is not anticipated to oppose the
13 Application.
14

15 I declare under penalty of perjury under the laws of the State of California that the foregoing
16 declaration is true and correct. Executed April 5, 2017 at San Diego, California.
17

18
19
20
21
22 By: 
Stephen D. Blea, Esq.

23
24
25 4849-0371-4118, v. 1
26
27
28

EXHIBIT 2

CM-180

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): BEVERLY M MURRAY-CALCOTE 3166 W AVE M-2 LANCASTER CA 93536 TELEPHONE NO.: (310) 986-1501 FAX NO. (Optional): E-MAIL ADDRESS (Optional): bevcalcote@gmail.com ATTORNEY FOR (Name):		FOR COURT USE ONLY FILED CIVIL BUSINESS OFFICE 9 CENTRAL DIVISION 2017 APR -6 P 4: 12 CLERK-SUPERIOR COURT SAN DIEGO COUNTY, CA	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 330 W BROADWAY MAILING ADDRESS: SAN DIEGO CA 92101 CITY AND ZIP CODE: BRANCH NAME: CENTRAL			
PLAINTIFF/PETITIONER: LARNITA PETTE DEFENDANT/RESPONDENT: BEVERLY M MURRAY-CALCOTE			
NOTICE OF STAY OF PROCEEDINGS		CASE NUMBER: 37-2015-00015654-CU-FO-CTL JUDGE: DEPT.:	

To the court and to all parties:

1. Declarant (name): **BEVERLY M MURRAY-CALCOTE**
 - a. ☒ is ☒ the party ☐ the attorney for the party who requested or caused the stay.
 - b. ☐ is ☐ the plaintiff or petitioner ☐ the attorney for the plaintiff or petitioner. The party who requested the stay has not appeared in this case or is not subject to the jurisdiction of this court.
2. This case is stayed as follows:
 - a. ☒ With regard to all parties.
 - b. ☐ With regard to the following parties (specify by name and party designation):
3. Reason for the stay:
 - a. ☒ Automatic stay caused by a filing in another court. (Attach a copy of the Notice of Commencement of Case, the bankruptcy petition, or other document showing that the stay is in effect, and showing the court, case number, debtor, and petitioners.)
 - b. ☐ Order of a federal court or of a higher California court. (Attach a copy of the court order.)
 - c. ☐ Contractual arbitration under Code of Civil Procedure section 1281.4. (Attach a copy of the order directing arbitration.)
 - d. ☐ Arbitration of attorney fees and costs under Business and Professions Code section 6201. (Attach a copy of the client's request for arbitration showing filing and service.)
 - e. ☐ Other:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: **4-4-17**

BEVERLY M MURRAY-CALCOTE
(TYPE OR PRINT NAME OF DECLARANT)

Beverly M Murray-Calcote
(SIGNATURE)

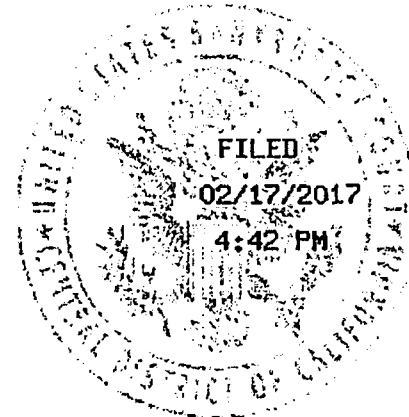
Page 1 of 1

United States Bankruptcy Court
Central District of California

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 02/17/2017 at 4:42 PM and filed on 02/17/2017.

Beverly Monique Murray-Calcote
3166 West Ave M-2
Lancaster, CA 93536
SSN / ITIN: xxx-xx-0565



The case was filed by the debtor's attorney: The bankruptcy trustee is:

Alon Darvish
Law Offices of Alon Darvish
9454 Wilshire Blvd
Penthouse Fl
Beverly Hills, CA 90212
310-205-5529

Rosendo Gonzalez (TR)
Gonzalez & Associates
530 S. Hewitt Street, Suite 148
Los Angeles, CA 90013
(213) 452-0071

The case was assigned case number 2:17-bk-11972-RK to Judge Robert N. Kwan.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page www.cacb.uscourts.gov or at the Clerk's Office, 255 East Temple Street,, Los Angeles, CA 90012.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Kathleen J. Campbell
Clerk, U.S. Bankruptcy
Court

PACER Service Center
Transaction Receipt

04/05/2017 14:52:15			
PACER Login:	ad2107:3294879:0	Client Code:	
Description:	Notice of Filing	Search Criteria:	2:17-bk-11972- RK
Billable Pages:	1	Cost:	0.10